EXHIBIT A

REMY INVESTMENTS CORP

Correspondence address; 1- 5 Harley Street London W1G 9QD England, United Kingdom

July 22, 2013

Without Prejudice

Mr Irving H Picard Trustee, Baker & Hostetler LLP 14th Floor, 45 Rockefeller Plaza, New York, NY 10111, U.S.A.

Baker & Hostetler LLP Counsel for the Trustee 14th Floor, 45 Rockefeller Plaza, New York, NY 10111, U.S.A. **Attn: David Sheehan and Jorian Rose**

Securities Investor Protection Corporation 805 Fifteenth Street, NW, Suite 800, Washington DC 20005 Attn: Kevin H.Bell, Esq and Christopher H. LaRosa, Esq

Clerk of the United States Bankruptcy Court for The Southern District of New York One Bowling Green, New York, New York 10004 Attn: Honorable Burton R. Lifland, United States Bankruptcy Judge at the United States Bankruptcy Court, the Alexander Hamilton Customs House

Dear Sirs

Bernard L. Madoff Investment Securities LLC ("BLMIS")
Bankruptcy Case S.D.N.Y.,No: 08 – 01789 (BRL)
CLAIM No: 009170

OBJECTION

to Trustee's Second Motion to affirm Trustee's determinations denying claims of Claimants who invested in certain Feeder Funds and did not have BLMIS accounts in their names

REMY INVESTMENTS CORP and **Ms. ANN K. KALLGREN** respectfully submit the following as grounds for **OBJECTING** the Trustee's Second Motion denying claims of Claimants who invested in certain Feeder Funds and did not have BLMIS accounts in their names.

- Remy Investments Corp and Ms Ann K Kallgren invested with the feeder funds
 Fairfield Sentry and Kingate Global Fund which were direct investors in
 BLMIS and had BLMIS account numbers. They are part of the one or more of 16
 specified feeder funds (the "Original Feeder Funds" that did have such accounts).
- 2. The feeder funds Fairfield Sentry and Kingate Global Fund were direct investors with BLMIS and within arm's length for transactions to be conducted, without any other intermediary fund.
- 3. The touchstone of "customer" status where it was the Original Feeder Funds, Fairfield Sentry and Kingate Global Fund that entrusted their monies with BLMIS for the purpose of trading or investing in securities.
- 4. Remy Investments Corp and Ms Ann K Kallgren entrusted its monies with the feeder funds Fairfield Sentry and Kingate Global Fund directly and did not purchase direct or indirect ownership interests in the Feeder Funds.
- 5. Remy Investments Corp and Ms Ann K Kallgren conform to "the critical aspect of the 'customer' definition" in that, cash was entrusted to the broker-dealer for the purposes of trading securities.
- 6. To enable the Feeder Funds to entrust cash to BLMIS, Remy Investments Corp and Ms Ann K Kallgren entrusted the cash to the Feeder Funds, Fairfield Sentry and Kingate Global Fund.
- 7. There persists a related fiduciary relationship between Remy Investments Corp and Ms Ann K Kallgren, and, Fairfield Sentry and Kingate Global Fund with BLMIS.
- 8. The Feeder Funds have an account with BLMIS but have structured a similar or not too dissimilar account numbering for the customers within the Feeder Funds which may or may not have a direct numbering system with BLMIS but is administered and regulated by the Feeder Funds to facilitate the BLMIS investments.
- 9. Feeder Funds accepted both individual investors and institutional investors as with the BLMIS.
- 10. There is no legal necessity that Feeder Funds' prospectuses to identify either BLMIS or Madoff, as similar to hedge funds or other securities funds prospectuses which only tend to state that the funds will be invested in various market portfolios to secure a certain percentage return subject to market conditions or a fixed percentage return, which is the case with BLMIS and Madoff.
- 11. How will the investor know for a fact that the purported securities trades and profits reported on the statements were a fiction at the time in question. In hindsight and in retrospect one is able to determine just that. A Fund guaranteeing a return of between 10% to 17%, may or may not result in an investor to raise an eye brow with doubt but rather to reap that return instinctively.

- 12. Initially customers will invest moderate amounts to 'test the waters' but if a guaranteed return is generated and paid back to the customer the customer would then only invest more. An element of enticement to invest, a provocation to invest and finally an actual partaking of investing and parting with the customers cash to the Feeder Funds takes place. The lure and the snare was set up by BLMIS, Madoff and the respective Feeder Funds.
- 13. The investors were not aware at the time that the investments were primarily used to make distributions to other investors. If the investors should have been aware then rightfully and lawfully SIPC should have known through its regulation.
- 14. What triggered the investigation was the collapse of the Ponzi scheme after the collapse of the financial markets not regulatory frameworks.
- 15. The books and records of BLMIS do not, in contrast, reflect deposits or withdrawals directly to or from BLMIS by the Objecting Claimants with regard to Feeder Fund Accounts, primarily due to the Feeder Fund Accounts deducting their respective costs, fees, expenses and liabilities before investing with BLMIS. Hence the variations also when deposits are received and paid out to Customers by the Feeder Funds when correlated to BLMIS.
- 16. To be a 'customer' Remy Investments Corp and Ms Ann K Kallgren did entrust cash or securities with the debtor for the purpose of trading or investing in securities.
- 17. The securities account with the Feeder Fund/Debtor was in the name of the account holder Remy Investments Corp. The account holder had exclusive power to entrust the assets to the debtor, the beneficiaries were unknown to the broker BLMIS but known to the Feeder Fund administration who processed the initial documents and applications. The beneficiary of Remy Investments Corp, Ms Ann K Kallgren had a power of attorney to deal with the Feeder Fund/debtor.
- 18. Remy Investments Corp and Ms Ann K Kallgren entrusted their cash and assets to the Feeder Funds Fairfield Sentry and Kingate Global Fund which ultimately invested in BLMIS and no other. The Feeder Funds were primarily set up as the name suggests to feed into BLMIS. There was a predetermined and a premeditated intent and methodology to deceive that precipitates down from BLMIS.
- 19. Fairfield Sentry and Kingate Global Fund were funds directly linked to Madoff and BLMIS.

We believe that the above statements are correct to the best of our understanding of this matter.

We seek your esteemed guidance, clarity and knowledge to consider our plea and disposition of having been deprived of our investments through our lawful right to claim back our attributable investments.

Please acknowledge this letter by writing to us.

Thank you for your kind assistance and consideration in this matter.

for Remy Investments Corp

Ann K Kallgren